

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

ASTEC, INC.,)
)
Plaintiff,)
) CIVIL ACTION NO. 3:12-cv-01169
vs.)
)
STANSTEEL CORPORATION and) JURY DEMAND
CONTRACTORSHEAVEN.COM D/B/A)
HOT MIX PARTS & ACCESSORIES,)
)
Defendants.)

STIPULATED INJUNCTION AGAINST DEFENDANTS

This matter came before the Court by Stipulation of the parties. The Court has been advised that Plaintiff Astec, Inc. ("Astec") and Defendants Stansteel Corporation and Constructorsheaven.com, Inc. d/b/a Hot Mix Parts & Accessories (collectively "Defendants") have consented and agreed to the entry of this Injunction. Accordingly, the Court hereby finds that:

1. Defendants shall be and hereby are ENJOINED and restrained from making, using, selling, or offering for sale in the United States or importing into the United States, directly or indirectly, one or more batch asphalt plant, or system that includes a batch asphalt plant, for producing hot mix asphalt (HMA) using a percentage of recycled asphalt product (RAP) comprising: a) virgin aggregate storage bin; b) a pugmill which receives virgin aggregate from said storage bin; c) a RAP storage system positioned in the vicinity of said pugmill; and d) conveyor means for feeding RAP from said RAP storage system to said pugmill at a controlled, variable rate.

2. Defendants also shall be and hereby are ENJOINED and restrained from practicing, or contributing to or inducing the practice of, the following method: producing HMA using a percentage of RAP comprising: a) feeding a designated amount of heated virgin aggregate to a pugmill; b) feeding RAP to said pugmill at a controlled, variable rate; c) mixing said heated virgin aggregate and said RAP in said pugmill to produce said HMA; and d) discharging said HMA from said pugmill.

3. Defendants also shall be and hereby are ENJOINED and restrained from making, using, selling, or offering for sale in the United States or importing into the United States, directly or indirectly, a system comprising: a) a pugmill having a vapor outlet; b) a burner having a combustion zone; c) a vapor scavenging system including (1) a ductwork assembly having a first inlet connected to said vapor outlet of said pugmill, a second inlet connected to the ambient atmosphere, and an outlet connected to said combustion zone of said burner; and (2) a blower which draws vapors from said pugmill through said ductwork assembly, and into said burner; and d) first and second dampers which control the flow of vapors from said first and second inlets of said ductwork assembly to said outlet.

4. This Injunction shall remain in full force and effect until such time as U.S. Patent No. 5,423,606 expires on December 7, 2013.

5. This Court shall retain jurisdiction to enforce this Injunction.

IT IS SO ORDERED.

Date: 6/4/13


United States District Judge